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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

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STATE DOCUMENTS

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OFFICE OF RESEARCH

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vehicle while under the influence of alcohol, drugs, or the combination of both, or reckless homicide. The bill also provides that, notwithstanding any other provision of law, when a motor vehicle accident results in the death of a pedestrian or a person who is either a passenger in, or the operator of a motor vehicle involved in an accident, then a chemical test must be administered on all operators of motor vehicles who are involved in the accident and upon the decedent if he was not an operator of a motor vehicle.

The House amended, approved, and sent to the Senate **H.4154**, the **South Carolina Estates and Probate Reform Act**. This bill replaces the state's Uniform Gift to Minors Act with a new version of uniform legislation adopted in several states, the Uniform Transfers to Minors Act. Like the provisions it replaces, the Uniform Transfers to Minors Act provides a means by which an adult may bestow gifts of money, stock, or real property on a child, without the requirement of a separate trust instrument, and without the child having control of the property while he or she is a minor. The custodial property is distributed when the payee attains the age of twenty-one, but the custodian may, in his discretion, deliver the custodial property when the payee attains the age of eighteen. The bill also makes revisions to durable power of attorney provisions, under which an individual can name someone attorney-in-fact to handle business and property transactions. This power of attorney continues to be effective even if the giver of the power becomes incapacitated. The bill provides conditions under which third parties, such as banks or brokerage firms, shall not refuse to honor a durable power of attorney. The bill provides that an attorney-in-fact shall receive reasonable compensation upon approval of the probate court, if compensation is not specified in the power of attorney arrangement. The bill establishes conditions under which an affidavit, rather than a judicial finding of mental incapacity, would authorize the opening of a safe deposit box for an individual named in a durable power of attorney to obtain the original power of attorney document. The bill also expands the State's Probate Code rules of construction to extend the coverage of the anti-lapse statute to revocable trusts and revoke provisions in a trust instrument for a divorced spouse.

The House approved and sent to the Senate **H.4970**, a bill pertaining to **security in the State House complex**. The bill clarifies the rolls of the State House Committee, the House of Representatives and Senate, the Budget and Control Board, and the Department of Public Safety with regard to providing security at the State House, the capitol grounds, and legislative office buildings. Under the legislation, the State House committee is responsible for establishing all policies and procedures relating to the safety and security of the State House. The House and Senate are given explicit control of the chambers, foyers, the conference room, the lobby, the third floor, their State House offices, and the Blatt and Gressette buildings. The Budget and Control Board is responsible for the rest of the grounds. DPS shall provide security as requested. Additionally, The Department of Archives and History must be consulted only when a change is made to the State House. Consultation is no longer required when a change is made to the grounds.

The House amended, approved, and sent to the Senate **H.4855**. This joint resolution provides special procedures and conditions for **mandatory employee**

provides that a contract for the housing of federal prisoners must be made between the entity that operates the county/municipal jail or detention facility and the appropriate federal authority. The bill replaces the one dollar per day fee that a sheriff or jailer is currently authorized to charge for the housing of a federal prisoner, with an amount per day as provided by contractual agreement with the appropriate federal authority. Under the bill, the sheriff is authorized to approve such contracts. The legislation provides for the distribution and expenditure of this fee.

The House amended, approved, and sent to the Senate **H.4514**. This bill revises **certification requirements of law enforcement officers**, so as to provide that in addition to exceptions to the one-year rule currently provided, the period of time within which a candidate must obtain the certification required to become a law enforcement officer is automatically extended for an additional period equal to the time the candidate performed active duty or active duty for training as a member of the National Guard, the State Guard, or a reserve component of the Armed Forces of the United States, plus ninety days. The bill also provides that, notwithstanding another provision of law, a retired law enforcement officer may return to active duty without completing law enforcement training at the Criminal Justice Training Academy if he is a commissioned constable and has completed all required continuing law enforcement education credits during his retirement period.

The House approved and sent to the Senate **H.3764**, a joint resolution proposing an **amendment to the state constitution authorizing the investment of local government firefighters' pension plans**. This joint resolution proposes to amend the South Carolina Constitution so as to allow a municipality, county, special purpose district, or public service district of the State which provides firefighting service and which administers a separate pension plan for its employees performing this service to invest and reinvest the funds in this pension plan in equity securities traded on a national securities exchange as provided in the Securities Exchange Act of 1934 or a successor act, or in equity securities quoted through the National Association of Securities Dealers Automatic Quotations System or similar service.

The House approved and sent to the Senate **H.4426**. In situations where a favorable vote in a county referendum on Sunday minibottle sales authorizes the issuance of **Sunday minibottle sales permits** in only part of a municipality, this bill provides that a municipal referendum on the question may be ordered by the municipality's governing body by ordinance or by a resolution adopted by a majority of the members of the legislative delegation representing the municipality. Upon receipt of a copy of the ordinance or resolution filed with the municipal election commission at least sixty days before the date of the general election, the commission shall conduct the referendum at the time of the general election and publish and certify its results in the required manner. These methods of ordering a referendum are in addition to the petition method provided by law. An unfavorable vote in a municipal referendum does not affect the authority to issue these permits in the part of the municipality located in a county where these permits may be issued.

House, reported by the Senate Finance Committee, given third reading in the Senate, and reported from conference or free conference committee.

The House approved and sent to the Senate **H.4835**. Currently, state agencies responsible for providing and maintaining physical facilities are required to submit to the Joint Bond Review Committee and the Budget and Control Board an Annual Permanent Improvement Program (APIP), including all of the agency's permanent improvement projects anticipated and proposed to be started in the upcoming year. This bill changes the name of the submission to the **Comprehensive Permanent Improvement Plan (CPIP)**, and provides that the CPIP must include all of the agency's permanent improvement projects anticipated and proposed over the next five years. The bill also eliminates a code section that requires state agencies and institutions to submit an overall plan seeking approval of requests for funding of permanent improvement projects or of the establishment and implementation of projects previously authorized under the State Capital Improvement Bond Act of 1968.

The House amended, approved, and sent to the Senate **H.4909**. This bill **revises the Pharmacy Practice Act** by updating and clarifying several provisions relating to the licensure procedures for pharmacists and pharmacy facilities. A significant provision in the bill is the creation of a separate registration category for certified pharmacy technicians. The bill establishes certification requirements and provides a list of expanded duties a supervising pharmacist may authorize a certified pharmacy technician to perform: receive and initiate verbal telephone orders; conduct one-time prescription transfers; check a technician's refill of medications if the medication is to be administered by a licensed health care professional in an institutional setting; and check a technician's repackaging of medications from bulk to unit dose in an institutional setting. The bill also requires, beginning with the next registration renewal period after June 30, 2003, that all pharmacy technicians, both certified and non-certified, will be required to complete 10 hours of continuing education each year. The bill specifies that a pharmacist is not required to hire a certified pharmacy technician. The bill also makes the following substantive changes to current law: Establishes the Board's authority to charge a registration fee for pharmacy technicians and requires a technician to carry his or her registration card; Clarifies that emergency medical services (EMS) are exempt from licensure fees and allows the EMS medical director to perform the duties that would be done by a consultant pharmacist for the EMS service; Allows a durable medical equipment (DME) facility to use a medical director, registered nurse, or respiratory therapist to perform the duties that would be done by a consultant pharmacist for the DME facility; Allows pharmacy inspections to be performed by a pharmacist designee rather than by a Board inspector. This change would allow these inspections to be done by a contract pharmacist or by a Board member; and Expands the circumstances in which a pharmacy must notify the Board regarding theft of drugs or other violations of state or federal drug laws. The bill includes provisions to clarify that medicine may be dispensed from a free medical clinic, and a provision clarifying that a pharmacy must notify the Board of Pharmacy regarding any allegation of theft of drugs or other violations of state or federal drug laws.

program procedures and delineates items that must be included in the cooperative agreements with participants. The bill also authorizes DHEC to grant a participant a variance from a requirement in South Carolina environmental law that would otherwise apply to a facility covered by a cooperative agreement if the variance meets certain criteria. The bill requires participants to comply with certain reporting and enforcement procedures.

The House approved and sent to the Senate **H.3978**. This bill **revises exemptions from regulation for generators of less than fifty pounds of infectious waste**, so as to require sharps to be managed pursuant to the requirements of the "South Carolina Infectious Waste Management Act" and regulations promulgated under it.

The House approved and sent to the Senate **H.4891**. This bill **makes it mandatory that the Department of Health and Environmental Control (DHEC) ensure the availability of antirabic (human) vaccine** and globulin products for persons bitten by or otherwise exposed to an animal found or suspected to be affected by rabies. The bill also provides that the provision of vaccine and globulin products shall be in accordance with DHEC guidelines, and DHEC is authorized to seek reimbursement from sources including, but not limited to, Medicaid/Medicare and/or personal/medical insurance of the person receiving the products. Currently, DHEC is required to furnish antirabic products "when it considers necessary," and DHEC must be reimbursed by the owner of the unvaccinated animal in question.

The House amended, approved, and sent to the Senate **H.4260**. This bill revises current definitions and adds new definitions to provisions regarding **rabies control**. The bill revises the definition of "pet," currently defined as only domesticated species of carnivores, so as to include in that definition only domesticated cats, dogs, and ferrets. The bill adds a definition for "carnivore," including in that definition flesh-eating animals known to be reservoirs of rabies. The bill also adds a definition for "domesticated animal," including in that definition owned or stray cats, dogs, and ferrets or other animals for which there exists an approved and licensed rabies vaccine; and the bill adds a definition for "quarantine" - a prescribed, restricted confinement of an animal up to and including a state of enforced isolation for the purpose of observation of the animal for signs and/or symptoms of rabies and for the prevention of potential rabies transmission. The bill provides that these provisions do not apply to the sale, purchase, donation, or transfer of ownership of carnivores between publicly-owned zoos or animal dealers located in this State and licensed as specified in the bill. The bill further provides that any public display, showing, or exhibition of wild carnivores, primates, or any other animal for which a USDA licensed rabies vaccine does not exist are allowed only when any possible contact by these animals with the general public is prevented.

The House approved and sent to the Senate **H.4589**. This bill **authorizes the State Department of Health and Environmental Control to raise or lower, by regulation, the application fee for a permit to alter a "critical area"** (coastal waters, tidelands, beaches, beach dune system which is the area from the mean high water mark to the setback line) after complying with the Administrative Procedures Act. The bill also increases to two hundred fifty dollars (current fee allowed is up to fifty-one

The Committee reported favorable with amendment on H.4714. Currently, the **season for taking antlered deer in Game Zones 2 and 4** is September fifteenth through September thirtieth with archery equipment only; October first through October tenth, with primitive weapons only; and October eleventh through January first, with archery equipment and firearms; Sundays excepted. As reported by the Committee, this bill provides that **these specified dates apply only to Game Zone 2**. Currently, in **Game Zones 5 and 7**, the season for taking antlered deer is September first through January first with bow and arrow and September fifteenth through January first with firearms. **As reported by the Committee**, this bill provides that these dates also apply also to Game Zone 4, and also provides that in Game Zone 4 and 5, the season for taking antlered deer with primitive weapons is September first through September 15.

The Committee reported favorable with amendment on H.4548. As reported by the Committee, this bill **amends the investment requirements for fee in lieu of taxes qualification** by adding that "investments" may, under certain conditions, include amounts expended by a sponsor or sponsor affiliate as a nonresponsible party in a **voluntary cleanup contract on the property pursuant to the Brownfields Voluntary Cleanup Program**. The bill provides that if the Department of Health and Environmental Control has issued a certificate of completion for the cleanup, and the cleanup investment amounts equal at least one million dollars, the investment threshold requirement is deemed to have been met. The bill also allows and includes provisions for a **credit against corporate income taxes** due for costs of voluntary cleanup activity by a nonresponsible party pursuant to the Brownfields Voluntary Cleanup Program. The bill also amends current provisions regarding the **job tax credit** by providing that taxpayers which otherwise qualify for the job tax credit and which are located and the qualifying jobs are located on property where a response action has been completed pursuant to a nonresponsible party volunteer cleanup contract pursuant to the Brownfields Voluntary Cleanup Program, are allowed an additional one thousand dollar credit for each new full-time job created. This additional credit is permitted for five years. The bill also provides that subject to approval of the county governing body, property and improvements subject to a nonresponsible party voluntary cleanup contract for which a certificate of completion has been issued by DHEC pursuant to the Brownfields Voluntary Cleanup Program, is exempt from *ad valorem* taxation as specified in the bill.

The Committee reported favorable on H.4516. This joint resolution **extends by three years the pilot program of alligator farming** for the purpose of determining the feasibility of alligator farming for poultry mortality disposal.

The Committee reported favorable on H.4429. This bill makes various **revisions to the South Carolina Underwater Antiquities Act of 1991**. The bill revises the definitions of "field archaeologist", "State Archaeologist", and "undertaking". The bill revises the hobby license for persons wishing to conduct temporary, intermittent, recreational, small scale, noncommercial search, and recovery of submerged property. The bill eliminates the issuance of an instructional license to allow student divers or charter group divers without individual hobby licenses to collect artifacts.

The Committee reported favorable on **S.893**. This bill deletes existing provisions regarding the killing of bear and adds provisions which:

- Provide for open season in Game Zone One for still gun and party dog hunts and provide that in all other zones there are no open seasons;
- Require that bear taken be reported to the Department of Natural Resources' Clemson office;
- Provide that it is unlawful to take a bear except during open season;
- Restrict the taking, method of hunting, or possession of certain bear or bear parts, and provide penalties.

The Committee reported favorable on **S.653**. This bill provides that **licensing exams and licensing examination questions maintained or administered, or both, by the State Crop Pest Control Commission (the Commission) are confidential and are exempt from public disclosure**. The bill requires that the Commission, within twenty-one days after receipt of a written request from an applicant who failed the licensing examination, arrange a meeting between a Commission agent and the applicant to review the applicant's licensing examination answers.

The Committee reported favorable on **S.191**. This bill **provides immunity from civil and criminal liability to persons who - acting in good faith and without compensation, malice, recklessness, or gross negligence - render emergency care to a domestic animal that is abandoned, ill, injured or in distress related to an accident or disaster**.

EDUCATION AND PUBLIC WORKS

The full Committee did not meet this week.

JUDICIARY

The full Committee did not meet this week.

LABOR, COMMERCE AND INDUSTRY

The full House Labor, Commerce and Industry Committee met on Tuesday, April 2, and reported out two bills.

The Committee gave a report of favorable with amendments on **H.4786**. This bill revises the Utility Facility Siting and Environmental Protection Act by providing that once an application to transfer a certificate for a **merchant power plant** is received by the Public Service Commission, the Commission must hold a public hearing on the issue within sixty to ninety days. Under the legislation, a merchant plant is a

state agency, institution, or department are less than the general funds appropriated for that entity in the preceding fiscal year. The resolution applies to fiscal year 2001-2002 or 2002-2003 if the General Assembly or the State Budget and Control Board implements a midyear across-the-board budget reduction.

The Committee reported favorable with amendment on **H.3851**, concerning **use of revenue generated by the accommodations tax**. Currently, this revenue may be used, in addition to other specified purposes, for beach access and renourishment. As reported by the Committee, this bill adds that the revenue **may also be used for other tourism-related lands and water access** approved by the accommodations tax oversight committee.

The Committee reported favorable on **S.999**. This bill amends current law regarding **security required for state funds in excess of the Federal Deposit Insurance Corporation limit** deposited by the State Treasurer in a bank or savings and loan association, by allowing security for these deposits in the form of letters of credit.

The Committee adjourned debate on **S.968**, regarding expending certain **South Carolina Employment Security Commission funds for acquiring software and information technology equipment**.

The Committee reported favorable on **S.869**. This bill **provides that up to \$2,000 per year in state funds may be used for expenses related to presentation of the Jean Laney Harris Folk Heritage Awards**.

The Committee reported favorable on **H.4701**. This bill provides that **the Citadel may pledge the proceeds of the admissions fee and the special student fee as security for athletic facilities bonds** without pledging the revenue derived from the operation of the athletic department.

The Committee reported favorable on **H.3765**. This bill **requires that a bill authorizing the issuance of state capital improvement bonds must have a certificate attached from the Office of State Budget, certifying that certain conditions are met regarding the dollar amount of bond authorizations in the bill and regarding the debt service for the bonds**. The bill requires this certificate before any bill or joint resolution authorizing the issuance of state general obligation bonds may be reported by the House Ways and Means Committee, given third reading in the House, reported by the Senate Finance Committee, given third reading in the Senate, and reported from conference or free conference committee.

The Committee reported favorable on **H.4835**. Currently, state agencies responsible for providing and maintaining physical facilities are required to submit to the Joint Bond Review Committee and the Budget and Control Board an Annual Permanent Improvement Program (APIP), including all of the agency's permanent improvement projects anticipated and proposed to be started in the upcoming year. This bill **changes the name of the submission to the Comprehensive Permanent Improvement Plan (CPIP), and provides that the CPIP must include all of the agency's permanent improvement projects anticipated and proposed over the next**

outstanding, and any remaining balance in the special fund after the bonds are retired is transferred to the General Fund.

The Committee adjourned debate on H.3640, regarding **distribution of "C" fund gasoline tax revenues**.

The Committee reported favorable on H.4589. This bill **authorizes the State Department of Health and Environmental Control to raise or lower, by regulation, the application fee for a permit to alter a "critical area"** (coastal waters, tidelands, beaches, beach dune system which is the area from the mean high water mark to the setback line) after complying with the Administrative Procedures Act. The bill also increases to two hundred fifty dollars (current fee allowed is up to fifty-one dollars), the fee for permits which are noncommercial/nonindustrial in nature and provide personal benefits that have no connection with a commercial/industrial enterprise.

The Committee reported favorable on H.4507. This joint resolution **suspends the two dollar and five cents reduction in the calculation of Medicaid prescription payment reimbursements provided by the Department of Health and Human Services in Medicaid Bulletin Pharm 01-06**, effective with reimbursements paid for Medicaid prescriptions filled after the effective date of this resolution.

The Committee reported favorable with amendment on H.4769. As reported by the Committee, this bill **repeals the 2002 joint resolution which requires that nursing homes pay certain franchise fees** beginning February 1, 2002. This bill would take effect July 1, 2002.

The Committee reported favorable on H.3764. This joint resolution **proposes to amend the South Carolina Constitution so as to allow a municipality, county, special purpose district, or public service district of the State which provides firefighting service and which administers a separate pension plan for its employees performing this service to invest and reinvest the funds in this pension plan in equity securities traded on a national securities exchange as provided in the Securities Exchange Act of 1934 or a successor act, or in equity securities quoted through the National Association of Securities Dealers Automatic Quotations System or similar service.**

The Committee reported favorable on H.4676. This bill **codifies and provides for the merger of LIS and LPITR**, transferring all assets and resources of LIS to LPITR, with the exception of one FTE which must be transferred to the House of Representatives. The bill provides that the merged entity will be known as Legislative Printing, Information and Technology Systems (LPITS).

The Committee reported favorable on H.4609. This bill **provides that a retired member of the South Carolina Police Officers Retirement System (SCPORS) who is hired by the State is not eligible for a lump-sum payment for unused leave upon termination or retirement from state employment**. The bill also provides that a retired member of the SCPORS who is hired by an agency to fill all or some of a full-time equivalent position covered by the State Employees Grievance Procedure Act is

JUDICIARY

S.820 CLONING HUMANS PROHIBITED Sen. Reese

This bill provides that it is unlawful for any person through "cloning" to grow or create a human being, or any human part, or to conspire to do so. Penalties are provided for violations.

S.1085 STATE BOARD OF LAW EXAMINERS Sen. McConnell

This bill revises provisions relating to the State Board of Law Examiners, so as to revise certain qualifications of members of the board and provide that the membership, terms, and duties of the board shall be as set by the Supreme Court.

S.1109 PROPOSED CONSTITUTIONAL AMENDMENT ALLOWING PUBLIC OFFICERS TO PARTICIPATE IN STATE LOTTERY Sen. McConnell

This joint resolution proposes an amendment to the state constitution's prohibition on public officers gambling or betting on games of chance so as to provide an exception that allows participation in lotteries conducted by the State of South Carolina.

S.1138 911 HEROES DAY Senate Judiciary Committee

This bill designates September 11 of each year as "911 Heroes Day", a day of recognition to express the gratitude of the citizens of South Carolina for all the sacrifices made by public safety personnel in the performance of their duties.

H.4986 DAMAGES FOR RETALIATION AGAINST WHISTLE-BLOWERS Rep. Whipper

This bill revises provisions relating to civil actions against an employing public body for retaliation against an employee who reports a violation of state or federal law or regulation, so as to change the maximum amount of actual damages an employee may recover from fifteen thousand dollars to three hundred thousand dollars.

H.4989 DEATH PENALTY CASES Rep. G.M. Smith

This bill revises requirements that a solicitor give notice to the defense attorney of an intention to seek the death penalty so as to provide that, in such instances, the solicitor must also give notice of intent to seek the death penalty to the Court Administrator of this State. The bill also requires the reporting of certain statistical information to the Office of the Court Administrator relating to crime to enable accurate record keeping.

S.145 OPEN CONTAINER OF BEER OR WINE IN MOVING LIMOUSINE OR CHARTERED BUS Sen. Wilson

This bill revises provisions relating to the unlawful possession of an open container of beer or wine in a motor vehicle, so as to provide that this provision does not apply to a passenger twenty-one years of age or older in a moving limousine or chartered bus who is not in the driving compartment or portion of the vehicle which is accessible to the driver while operating the vehicle.

S.986 BIRTH DEFECTS SURVEILLANCE STUDY COMMITTEE Sen. Leatherman

This joint resolution creates and provides for the South Carolina Birth Defects Surveillance task force, which is charged to study birth defect surveillance methods, programs, and procedures and to develop recommendations for the establishment of a statewide birth defects surveillance program. The task force is to submit a report to the Governor, the President *Pro Tempore* of the Senate, and the Speaker of the House before February 15, 2003. Upon submission of the report, the task force is abolished.

H.5012 REVISIONS TO STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT Rep. Loftis

This bill makes numerous revisions to the *State Certification of Need and Health Facility Licensure Act*.

S.391 REGISTERED NURSE FIRST ASSISTANTS ACT Sen. J. Verne Smith

This bill enacts the *Registered Nurse First Assistants Act*, the stated purpose of which is to encourage physicians and hospitals to use registered nurses who are educationally prepared as registered nurse first assistants (RNFA's), to provide quality, cost-effective surgical assistant interventions to health care recipients in South Carolina. The bill provides that a health care institution employing registered nurse first assistants must establish specific procedures for the appointment and reappointment of RNFA staff members and for granting, renewing, and revising their clinical scope of practice. The bill also provides that when a health insurance policy, health care services plan, any insurance contract or other contract provides for payment for surgical first assisting benefits or services, the policy, plan, or contract must be construed as providing for payment to an RNFA who performs services that are within the scope of an RNFA's professional license.

WAYS AND MEANS

S.1005 PROPERTY TAX ASSESSMENT NOTICES Sen. J. Verne Smith

This bill provides that a notice of objection to a proposed value in a property tax assessment notice may be timely filed at any time, and the notice applies for all open property tax years.

H.4990 REVISIONS TO BINGO LAWS Rep. Cooper

This bill makes numerous revisions to South Carolina's bingo laws. These revisions include, but are not limited to: adding and revising definitions regarding bingo; revising provisions regarding bingo promoters' licenses; revising provisions regarding the manner of playing bingo; revising procedures regarding bingo gross proceeds; revising provisions regarding the various classes of bingo licenses; revising provisions regarding bingo proceeds; revising procedures regarding bingo bank accounts; revising provisions regarding conferences following a violation; revising provisions regarding the crime of posing as a bingo player; revising provisions regarding bingo card charges by the Department of Revenue; revising provisions relating to the sale or transfer of bingo cards; revising provisions regarding the

bill also allows DOR to retain a portion of this fee and allows DOR to bring suit in courts of other states to collect taxes due this State.

H.5011 DISCOUNT ALLOWED FOR TIMELY PAYMENT OF SALES AND USE TAX Rep. Kirsh

This bill provides that the maximum discount of three thousand dollars allowed to a taxpayer for timely payment of sales and use taxes is increased to a maximum of three thousand one hundred dollars for taxpayers filing electronically. The bill also decreases from twenty thousand dollars to fifteen thousand dollars the threshold amount for which payments due to the Department of Revenue must be paid by a method in which the funds are available immediately to the State.

S.937 JOINT COMMITTEE ON TAXATION Sen. Leatherman

This bill establishes and provides for the Joint Committee on Taxation (the Committee), which must:

- o make a detailed study of the revenue laws of the State, together with all other laws of the State which have a bearing upon the study of the revenue laws, and make recommendations to the General Assembly;
- o provide for the revision of revenue laws so as to develop a more easily understandable and workable system of revenue laws for the State;
- o recommend changes in specified areas;
- o recommend study of alternate sources of revenue found in the tax structure of other states and report on the economic impact of the South Carolina tax structure upon the business enterprises of various types of industry, as compared with other Southeastern states; and
- o make recommendations for long-range revenue planning and for future amendments of the revenue laws of the State.

The Committee is required to report recommendations to the General Assembly and the Governor by June 30, 2006, at which time the Committee will be dissolved.

H.5017 UNINSURED MEDICAL CATASTROPHE FUND Rep. Miller

This bill creates the Uninsured Medical Catastrophe Fund, established within the Department of Health and Human Services (DHHS) to assist South Carolina residents who have no health insurance for treatment of medical catastrophes. Revenue for the fund includes voluntary contributions made by designations on the State individual income tax returns. The bill gives DHHS the authority to develop eligibility criteria, which need not conform to Medicaid eligibility; to receive and review applications for assistance; and to grant assistance to the extent that funds are available to meet the expenses.

H.5019 DRYCLEANING FACILITIES Rep. Kirsh

This bill revises various provisions regarding taxes and fees relating to drycleaning facilities. For purposes of the *Sales and Use Tax Act*, the bill excludes from the definition of "gross proceeds of sales" (the value proceeding or accruing from the sale, lease, or rental of tangible personal property) the environmental surcharge imposed pursuant to the *South Carolina Hazardous Waste Management Act*. The bill also amends the *Hazardous Waste Management Act* relating to the Drycleaning